

*IPW*

Attorney Docket No.: 1117-R-03

In re Application of Michael R. DeLuca

Serial No.: 10/657,461

Filed: September 8, 2003

For: PROGRAMMABLE THERMOSTAT INCORPORATING AIR QUALITY PROTECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Small entity status of this application under 37 CFR §1.9 and §1.27 has been established.
- A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
- No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)

(Col. 2) (Col. 3)

SMALL ENTITY

OTHER THAN
SMALL ENTITY

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PRE- VIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 27	-	** 73= 0
INDEP.	* 4	-	** 9= 0
Application Size Fee			
First Presentation of Multiple Dependent Claim			

RATE	ADD'L FEE
x 25 =	\$
X 100 =	\$
	\$
+180=	\$

OR

RATE	ADD'L FEE
x50 =	\$
x 200 =	\$
x250=	\$
+360=	\$

TOTAL ADDITIONAL FEE \$0.00 OR \$ _____

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 50-2719 in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ _____ is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed.
 - Any filing fees under 37 CFR §1.16 for the presentation of extra claims.
 - Any patent application processing fees under 37 CFR §1.17 with the exception of the Issue Fee which we intend to pay by check.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750
Attorney for Applicant

TDC:rb
(215)656-3381

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3744 Customer No. 035811
Examiner : Marc E. Norman
Serial No. : 10/657,461 MAR 28 2005
Filed : September 8, 2003
Inventor : DeLuca, Michael R.
Title : PROGRAMMABLE THERMOSTAT
: INCORPORATING AIR QUALITY
: PROTECTION Docket No.: 1117-R-03
Confirmation No.: 9797

Dated: March 23, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing Under 37 CFR 1.8

For

Postcard
Amendment Transmittal Letter, in duplicate
Amendment

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper Rudnick Gray Cary US LLP
Customer No. 35811

By: _____ *P*

Date: 23 MAR 2005

IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

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AMENDMENT

Mail Stop Amendment
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P.O. Box 1450
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Sir:

In response to the Official Action dated January 7, 2005, the Applicant amends the Application as follows: